



BOARD OF COUNTY COMMISSIONERS SHELBY COUNTY, TENNESSEE

AGENDA

Monday, November 23, 2009

Commissioner Sidney Chism, Acting Chairman
Commissioner Henri E. Brooks
Commissioner Wyatt Bunker
Commissioner Mike Carpenter
Commissioner George Flinn
Commissioner Joe Ford

Commissioner J.W. Gibson, II
Commissioner James Harvey
Commissioner Matt Kuhn
Commissioner Deidre Malone
Commissioner Steve Mulroy
Commissioner Mike Ritz

11/20/2009 2:21 PM

1:30 PM

COMMISSION CONVENES

CALL TO ORDER

Acting Chairman Sidney Chism

OPENING OF THE COMMISSION

Deputy Sheriff

INVOCATION

Dr. Ronald Wiese, Pastor
Trinity Lutheran Church

PLEDGE OF ALLEGIANCE

ROLL CALL

Approval of Minutes of Previous Session
October 21, 2009

C O N S E N T A G E N D A

Resolutions of Memorial, Sympathy and Commendation

1. Resolution commending Deidra Shores, winner of the “Today Show” Kid Reporter Contest. Sponsored by Commissioner James Harvey, Sr.

Ordinances

Zoning and Subdivisions

RITZ

Chairman, Land Use Committee

2. [Resolution to approve the plat for Morton Subdivision \(S 09-011 CC\) and authorize the recording of the plat. Sponsored by Commissioner Mike Ritz.](#)

Reports and/or Resolutions for Standing Committees

MALONE

Chairman, Public Works Committee

3. [Resolution approving a lease agreement with Kinder Morgan River Terminals Llc, as approved by the Board of Commissioners of the Memphis and Shelby County Port Commission on September 23, 2009. This resolution sponsored by Commissioner Deidre Malone.](#)

MALONE

Chairman, Public Works Committee

4. [Resolution approving a lease agreement with Dewayne Hendrix, D/B/A Two-Way Gin Company, Inc., as approved by the Board of Commissioners of the Memphis and Shelby County Port Commission on September 23, 2009. This resolution sponsored by Commissioner Deidre Malone.](#)

MALONE

Chairman, Public Works Committee

5. [Resolution approving a lease/purchase agreement with Nucor Steel Memphis, Inc., as approved by the Board of Commissioners of the Memphis and Shelby County Port Commission on September 23, 2009. This resolution sponsored by Commissioner Deidre Malone.](#)

MALONE
Chairman, Public
Works Committee

6. Resolution approving the sale of 2.942 Acres of unimproved real property located on the Northwest corner of Holmes Road and Riverdale Road, to Salah M. Mohammed for \$150,000.00. Sponsored by Commissioner Deidre Malone.

MALONE
Chairman, Public
Works Committee

7. A resolution approving a contract with Encor, LLC in the amount of \$94,730.00 and \$5,270.00 for an extra work allowance for a total amount of \$100,000.00 for the installation of curb ramps compliant with Title II of the Americans With Disabilities Act and amending the FY2009-10 Capital Projects Budget and this item requires an expenditure of County CIP Funds in the amount of \$100,000.00. Sponsored by Commissioner Deidre Malone.

MALONE
Chairman, Public
Works Committee

8. A resolution approving amendment No. 1 to the grant contract with the Tennessee Department of Transportation (TDOT) for asphalt resurfacing and/or paving of Shelby County roads using funds from the American Recovery and Reinvestment Act of 2009 (ARRA). Sponsored by Commissioner Deidre Malone.

MALONE
Chairman, Public
Works Committee

9. Resolution approving expenditure of funds in the amount not to exceed \$550,000.00 for space renovations in the Shelby County Office Building at 157 Poplar; and this item requires expenditure of County CIP Funds in the amount of \$550,000.00 from the FY 2009-2010 Budget for CIP Number 307372, 157 Poplar. Sponsored by Commissioner Deidre Malone.

MALONE
Chairman, Public
Works Committee

10. Resolution to approve amendment to contract with Novacopy, Inc. for the rental of copier equipment for departments of Shelby County Government. Sponsored by Commissioner Deidre Malone.

MALONE
Chairman, Public
Works Committee

11. Resolution authorizing the Shelby County Roads and Bridges Department to perform work for other government entities and provide for reimbursement of funds pursuant to TCA Section 54-7-202(d)(2). Sponsored by Commissioner Deidre Malone. (ADD-ON IN COMMITTEE 11/18/09)

FORD

Chairman, Hospitals
and Health Committee

12. A resolution approving an amendment to the FY2009-2010 operating budget of the Rapid HIV Testing grant program establishing the budget in the amount of \$328,050.00 for the provision of HIV Rapid Testing Services for populations disproportionately affected by HIV and an amendment to the FY2009-2010 position control budget and the appropriation of said funds. This item requires the expenditure of Federal through State Grant funds in the amount of \$328,050.00. Resolution sponsored by Commissioner Joe Ford.

MALONE

Acting Chairman, Law
Enforcement
Committee

13. Resolution amending the FY2010 Operating Budget of the General Sessions Court Clerk in the amount of \$79,807 to provide three temporary employees. This resolution is sponsored by Commissioner Sidney Chism.

HARVEY

Chairman, Economic
Development
Committee

14. A resolution by the Board of Commissioners of Shelby County, Tennessee approving policy and program changes to the Industrial Development Board of the City of Memphis and County of Shelby Payment-In-Lieu-Of-Tax (PILOT) Program concerning the granting of incentives for job retention and authorizing any necessary amendments to its corporate charter. Sponsored by Commissioner James Harvey.

MALONE

Acting Chairman,
Community Services
Committee

15. Resolution approving the lease of 978 square feet of office space located at 600 Jefferson Avenue between the Urban Child Institute, a Tennessee Nonprofit Corporation and Shelby County Government, on behalf of the Shelby County Office of Early Childhood and Youth and to authorize the Shelby County Mayor to execute the lease agreement. Sponsored by Commissioner Mike Carpenter.

KUHN

Chairman,
Conservation
Committee

16. Resolution approving the first five (5) year renewal of the lease agreement for Bolton Park between Shelby County Government and Bolton Youth Athletic Association. Sponsored by Commissioner Matt Kuhn.

FLINN

Chairman, General
Government
Committee

17. Resolution approving the election of notaries public for appointment and/or reappointment for Shelby County, Tennessee. Sponsored by Commissioner Joe Ford.

BROOKS

Chairman, Delinquent
Tax Property
Committee

18. Resolution approving the conveyance of one (1) County owned delinquent tax parcel, acquired from Shelby County Trustee Tax Sale No. 0502, located on the southeast side of Memphis-Arlington Road, approximately 70 feet southwest of Arlin Drive, to the Town of Arlington, for nominal consideration, pursuant to T.C.A. §67-5-2509(d) and authorizing the Shelby County Mayor to execute a quit claim deed conveying said parcel to the Town of Arlington. Sponsored by Commissioner Henri Brooks.

BROOKS

Chairman, Delinquent
Tax Property
Committee

19. Resolution approving the sale of thirteen (13) county owned delinquent tax parcels, acquired from Shelby County Trustee Tax Sale Nos. 0005, 46, 96.2, 99.4, 0203, 0206, 0303, 0403, and 0406, to identified purchasers at various prices collectively totaling \$71,500.00, pursuant to the sale provisions of T.C.A. §67-5-2507 and authorizing the Shelby County Mayor to execute quit claim deeds. Sponsored by Commissioner Henri Brooks.

BROOKS

Chairman, Delinquent
Tax Property
Committee

20. Resolution approving the sale of eleven (11) County owned delinquent tax parcels, acquired from Shelby County Trustee Tax Sale Nos. 0002, 83.1, 0204, 0306, 0403, 0501 and 0502, to identified purchasers at various prices collectively totaling \$69,800.00, pursuant to the sale provisions of T.C.A. §67-5-2507 and authorizing the Shelby County Mayor to execute quit claim deeds. Sponsored by Commissioner Henri Brooks.

REGULAR AGENDA**Elections, Appointments, and Confirmations**

FLINN

Chairman, General
Government
Committee

21. [Resolution approving the County Mayor's nomination of Rodney C. Hubbard, George Spencer, Jr., and Christopher Todd Taylor for appointment and Steven F. Stachowski for reappointment to the Memphis and Shelby County Plumbing Code Board. Sponsored by Commissioner George Flinn.](#)

Ordinances

FLINN

Chairman, General
Government
Committee

22. [ORDINANCE - THIRD READING - An ordinance to amend the Shelby County Code of Ordinances by adding a new section to Chapter 2, Article II to establish procedures for boards, commissions, authorities, and other public bodies relative to compliance with the public notice provisions of the Tennessee Open Meetings Act. Sponsored by Commissioner George Flinn. \(AMENDED IN COMMITTEE 11/18/09\)](#)

Zoning and Subdivisions

Reports and/or Resolutions for Standing Committees

FLINN

Chairman, General
Government
Committee

23. [Resolution amending the FY 2010 Operating Budget and appropriating funds in the amount of \\$50,000.00 for the tire recycling program and this item requires the expenditure of County General Funds in the amount of \\$50,000.00. Sponsored by Commissioner Steve Mulroy. \(ADD-ON IN COMMITTEE 11/18/09\)](#)

MULROY

Chairman, Legislative
Committee

24. [A Resolution by The Board of Commissioners of Shelby County, Tennessee, requesting The Shelby County Delegation to support, and members of The Tennessee General Assembly to enact, legislation amending Tennessee Code Annotated, Title 67, Chapter 5, relative to tax liens and sale of certain properties. Sponsored by Commissioner Steve Mulroy.](#)

Announcements/Statements

- 25. Notification from County Mayor of appointments/reappointments to various Boards, Commissions, and offices of Shelby County Government. a) Resolution approving the County Mayor's nomination of Mauricio Clave, Doug Imig, Eva Mosby and Lois Williams for reappointment to the Shelby County Head Start Policy Council Community Advisory Board. Sponsored by Commissioner George Flinn.**

Adjournment

- 26. Resolution of adjournment to Monday, December 7, 2009 at 1:30 p.m.**